



United States District Court for the District of Colorado

In re Denver Jail COVID-19 Litigation

Case No. 1:20-cv-01795-JLK

Class Action Notice

Authorized by the U.S. District Court

**Were you
incarcerated in a
Denver County Jail
at anytime between
January 1, 2020 and
February 1, 2022
and did you
contract COVID-19
while incarcerated?**

**There is a class
action lawsuit
and you may
be a class
member.**

**If you want to be
part of the class
action, you do not
need to do
anything.**

**If not, you need to
opt out by
October 19, 2026.**

Important things to know:

- If you take no action, you will be part of the lawsuit, and your rights will be affected.
- You can learn more at: www.DenverJailCovidLawsuit.com.

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About This Notice

Why did I get this notice?

This notice is to tell you that the Court has allowed or “certified” a class action lawsuit. This notice informs you of the nature of the litigation and describes your rights and options. Judge John L. Kane of the United District Court for the District of Colorado is overseeing the lawsuit known as *In re Denver Jail COVID-19 Litigation* brought on behalf of people who contracted SARS-CoV-2 (the “coronavirus”) and became ill with COVID-19 while confined in a Denver County Jail.

You received this notice because you may be a member of the group of people affected, called the “class.” This notice gives you information about the case and tells you how to opt out if you don’t want to be part of it.

It is an important legal document, and we recommend that you read all of it. If you have questions or need assistance, please go to www.DenverJailCovidLawsuit.com or call 1-866-594-2818.

What do I do next?

Read this notice to understand the lawsuit and to determine if you are a Class Member. Then, decide if you want to stay in the lawsuit or opt out.

What is the deadline to opt out?

The deadline to ask to be excluded from the lawsuit is October 19, 2026.

Who is in the class?

This is the definition of the class that the court approved:

Primary Class

All detainees who were placed in the custody of the Denver County Jails

(combined facilities) and tested positive for the coronavirus while detained, excluding those detainees who tested positive at intake and did not contract the virus again while detained. The class period commenced on January 1, 2020, and ended February 1, 2022.

Denver County Jail Class

All detainees who were placed in the custody of the Denver County Jail and tested positive for the coronavirus while detained, excluding those detainees who tested positive at intake and did not contract the virus again while detained. The class period commenced on January 1, 2020, and ended February 1, 2022.

Denver Downtown Jail Class

All detainees who were placed in the custody of the Van Cise-Simonet Downtown Detention Center and tested positive for the coronavirus while detained, excluding those detainees who tested positive at intake and did not contract the virus again while detained. The class period commenced on January 1, 2020, and ended February 1, 2022.

Do I have a lawyer in this lawsuit?

In a class action, the court appoints class representatives and lawyers to work on the case and represent the interests of all the class members. For purposes of this case, the Court has appointed the following lawyers.

Your lawyers: Bradley A. Levin, Robyn Levin, Gideon S. Irving, and Annika K. Adams of LEVIN SITCOFF PC, Rick D. Bailey of LAW OFFICE OF RICK D. BAILEY, ESQ., and Zachary D. Warren of HIGHLANDS LAW FIRM. These are the lawyers who are bringing the case on your behalf. **You will not be charged for their services**, although their fees may be paid with the court's approval from any settlement that is negotiated for the class.

If you want to be represented by your own lawyer, you may hire one at your own expense.

Learning About the Lawsuit

What is this lawsuit about?

Beginning on June 17, 2020, a class action lawsuit was filed against The City and County of Denver, on behalf of Plaintiffs who were confined in Denver County Jail or the downtown Van Cise-Simonet Detention Center, because the conditions of their incarceration put them at imminent risk of serious illness and death from COVID-19. The lawsuit alleges that The City and County of Denver (“Defendant”) violated the rights of Plaintiffs and other similarly situated individuals by failing to implement proper protocols to reduce the spread of the coronavirus.

Defendant denies that it did anything wrong.

Importantly, this class action has only been certified for the determination of the Defendant’s liability, meaning that a separate trial will be needed to determine the damages Defendant must pay to class members if it is found liable at trial for violations of class members’ constitutional rights.

What happens next in this lawsuit?

The parties will continue to pursue legal action and prepare the case for trial, unless the two sides decide to settle the case.

Deciding What to Do

What are my options?

You have two options. You can do nothing and stay in the lawsuit, or you can opt out of the lawsuit.

Doing Nothing and Staying in the Lawsuit

What are the consequences of doing nothing?

If you do nothing, you will be part of the lawsuit and your rights will be affected by the outcome. You won’t be able to start, continue, or be part of any other lawsuit against the Defendant regarding the same claims.

If, at a later time, the Plaintiffs win or settle, Class Members may be entitled to money. If the Defendant wins, Class Members will receive nothing.

Opting Out

What If I don't want to be part of this lawsuit?

You can opt out, also known as excluding yourself.

If you choose to opt out, you have decided not to participate in the lawsuit. That means you won't get any benefits if they're awarded, but you can still file your own lawsuit with your own lawyer.

How do I opt out?

To opt out of the lawsuit, you must complete the opt out form included with this notice and mail it by **October 19, 2026** to the Notice Administrator:

Notice Administrator
PO Box 3637
Baton Rouge, LA 70821

Be sure to completely fill out the opt out form and include your signature.

You also have the option of completing the online opt-out form at www.DenverJailCovidLawsuit.com instead of mailing the included form.

Your opt out form must be postmarked or submitted online **no later than October 19, 2026**.

Key Resources

How can I get more information?

This notice summarizes the certification decision. There are more details in the case documents. To get a copy of the case documents or get answers to your questions:

- contact the lawyers who represent the class (information below)
- visit the case website at www.DenverJailCovidLawsuit.com
- access the Court's [eCourt Public Portal] online or by visiting the Clerk's office of the Court (address below).

Resource	Case Information
Case website	www.DenverJailCovidLawsuit.com
Toll Free Number	1-866-594-2818
Class Administrator	Notice Administrator PO Box 3637 Baton Rouge, LA 70821
Your Lawyers	Bradley A. Levin Robyn Levin Gideon S. Irving Annika K. Adams LEVIN SITCOFF PC 455 Sherman St., Ste. 490 Denver, CO 80203 (303) 575-9390 brad@lsw-legal.com robyn@lsw-legal.com gideon@lsw-legal.com annika@lsw-legal.com Rick D. Bailey LAW OFFICE OF RICK D. BAILEY, ESQ. 1085 Lafayette St., Suite 702 Denver, CO 80218 (720) 676-6023 rick@rickbaileylaw.com Zachary D. Warren HIGHLANDS LAW FIRM 501 S. Cherry St., 11th Floor Denver, CO 80246

	(720) 722-3880 zwarren@highlandslawfirm.com
Court (DO NOT CONTACT)	U.S. District Court For the District of Colorado Alfred A. Arraj United States Courthouse 901 19th Street Denver, CO 80294-3589

Instructions for accessing eCourt Public Portal

To access the Court's eCourt Public Portal at <https://pacer.uscourts.gov>, you will need to create an account. Once logged in, you can then access documents by clicking on "Searches," on the next page clicking on "Case Number Search," then entering the case number, 1:20-cv-01795, and clicking "Search." On the following page, click the case name link. You may then download images of every document filed in the case for a fee. You may also view images of case documents for free at one of the computer terminal kiosks at court locations.